

By Representative Alexander

1 A bill to be entitled
2 An act relating to food service employee
3 training; amending s. 509.049, F.S.; requiring
4 the Division of Hotels and Restaurants of the
5 Department of Business and Professional
6 Regulation to adopt rules for the
7 administration of a food safety training
8 certificate program for food service employees;
9 requiring the division to review specified food
10 safety training programs at the request of a
11 public food service establishment operator;
12 providing for division approval of food safety
13 training programs; providing for training to be
14 administered by a certified food service
15 manager; providing an effective date.

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17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Section 509.049, Florida Statutes, is
20 amended to read:

21 509.049 Food service employee training.--

22 (1) The division shall adopt, by rule, minimum food
23 safety protection standards for the training of all food
24 service employees who are responsible for the storage,
25 preparation, display, or serving of foods to the public in
26 establishments regulated under this chapter. These standards
27 shall not include an examination, but shall provide for a food
28 safety training certificate program for food service employees
29 to be administered by a private nonprofit provider chosen by
30 the division pursuant to subsection (2). The division shall
31 also adopt by rule, pursuant to ss. 120.54 and 120.536(1),

1 provisions for the effective administration of the certificate
2 program, including requirements for the issuance of a
3 wallet-sized certification card to employees successfully
4 completing the training, for procedures to replace lost or
5 stolen certification cards, for the maintenance of records
6 documenting the training of affected employees, and for the
7 updating of training materials as the division's minimum food
8 safety protection standards are modified or amended. The
9 division shall also be responsible for providing, by contract
10 or otherwise, a computerized database to verify the training
11 of all affected employees.

12 (2) The division shall issue a request for competitive
13 sealed proposals which includes a statement of the contractual
14 services sought and all terms and conditions applicable to the
15 contract. The division shall award the contract to the
16 provider whose proposal is determined in writing to be the
17 most advantageous to the state, taking into consideration the
18 price and the other criteria set forth in the request for
19 proposals. The division shall contract with a provider on a
20 4-year basis and is authorized to promulgate by rule a per
21 employee fee to cover the contracted price for the program
22 administered by the provider. In making its selection, the
23 division shall consider factors including, but not limited to,
24 the experience and history of the provider in representing the
25 food service industry, the provider's demonstrated commitment
26 to food safety, and its ability to provide a statewide program
27 with industry support and participation.

28 (3) At the request of a public food service
29 establishment operator, the division shall review any food
30 safety training program established and administered to food
31 handler employees utilized at the operator's ~~a public food~~

1 ~~service establishment prior to July 1, 2000 the effective date~~
2 ~~of this act shall be submitted by the operator to the division~~
3 ~~for its review and approval. If the division determines that~~
4 ~~the food safety training program complies with the minimum~~
5 ~~food safety protection standards and applicable division~~
6 ~~rules, the division shall approve the program for use by is~~
7 ~~approved by the division, nothing in this section shall~~
8 ~~preclude any other operator of a public food service~~
9 ~~establishment from also utilizing the approved program or~~
10 ~~require the employees of any operator to receive training from~~
11 ~~or pay a fee to the division's contracted provider. Review~~
12 ~~and approval by the division of a program or programs under~~
13 ~~this section shall include, but not be limited to, the minimum~~
14 ~~food safety standards adopted by the division in accordance~~
15 ~~with this section.~~

16 (4) It shall be the duty of the licensee of the public
17 food service establishment to provide training in accordance
18 with the described rule to all employees under the licensee's
19 supervision or control, with all training to be administered
20 by a food service manager certified pursuant to s. 509.039.
21 ~~The licensee may designate a certified food service manager to~~
22 ~~perform this function as an agent of the licensee.~~

23 (5) Food service employees must receive certification
24 pursuant to this section by January 1, 2001. Food service
25 employees hired after November 1, 2000, must receive
26 certification within 60 days after employment. Certification
27 pursuant to this section shall remain valid for 3 years.

28 Section 2. This act shall take effect upon becoming a
29 law.

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HOUSE SUMMARY

Requires the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to adopt rules for the administration of a food safety training certificate program for food service employees, which shall include the issuance of certification cards, procedures for replacement of lost or stolen certification cards, and updating of training materials. Requires the division to provide a computerized database to verify the training of employees.

Requires the division to review specified food safety training programs at the request of a public food service establishment operator. Provides for division approval of food safety training programs and provides for training to be administered by a certified food service manager.